

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Oil for America Exploration, LLC,)
)
 Plaintiff,)
)
 vs.)
)
Black Viper Energy Services, Ltd.,)
)
 Defendant.)

ORDER

Case No. 1:11-cv-038

On May 23, 2011, defendant filed a motion to compel arbitration and to stay proceedings pursuant to a purported agreement between the parties. On June 23, 2011, plaintiff filed a response in opposition to defendant's motion, challenging the very existence of the arbitration agreement.

On July 25, 2011, plaintiff filed a motion to conduct limited discovery on the issue of arbitrability. Defendant does not oppose plaintiff's motion, asking only that the parties be allowed to depose any individuals they deem reasonably relevant to the issues of arbitration and agency and that the court set a deadline to complete discovery.

The court **GRANTS** plaintiff's motion to conduct limited discovery on the issue of arbitrability (Docket No. 19). The parties may depose any individual they deem reasonably relevant to the issue of arbitration and agency. This limited discovery shall be completed by October 21, 2011. Thereafter, plaintiff shall have until November 4, 2011, to supplement its response to defendant's motion to compel arbitration and to stay proceedings. Defendant shall have until November 14, 2011, to file a reply.

IT IS SO ORDERED.

Dated this 22nd day of August, 2011.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court